



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

March 12, 2004

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

TO: Interested Parties / Applicant

RE: Tyson Foods, Inc., Mexican Original / 075-18759-00022

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures
FNPER-AM.dot 9/16/03

March 12, 2004

Mr. Fred Konchan
Tyson Foods, Inc., Mexican Original
1355 W. Tyson Road
Portland, IN 47371

Re: 075-18759
First Administrative Amendment to
FESOP 075-17765-00022

Dear Mr. Konchan:

Tyson Foods, Inc. was issued a FESOP on December 3, 2003, for a stationary taco shell, corn chip, tortilla and flatbread manufacturing source. A letter requesting an administrative amendment was received on February 27, 2004. The requested changes are related to the addition of a new baked chip line. The uncontrolled potential to emit of the new emission units are less than the thresholds requiring a Minor Permit Revision. The potential to emit of particulate matter for each of the emission units associated with the new line are less than 0.551 pounds per hour, making them exempt from the requirements of 326 IAC 6-3. According to 326 IAC 2-8-10(a)(14), an administrative amendment is appropriate for a modification "that adds an emission unit or units of the same type that are already permitted and that will comply with the same applicable requirements and permit terms and conditions as the existing emission unit or units, except if the modification would result in a potential to emit greater than the thresholds in 326 IAC 2-2 or 326 IAC 2-3". The emission units at the new baked chip line are similar to existing permitted emission units at the facility. Therefore, pursuant to the provisions of 326 IAC 2-8-10 the permit is hereby administratively amended as follows (~~strikeout~~ to show deletions and **bold** to show additions):

(1) Section A.2 is modified as follows:

- (g) One (1) boiler, identified as EU-PR-BR-01, constructed in 1994/1995, fired by propane or natural gas, exhausting through stack EP-Boiler, heat input capacity: 6.3 million British thermal units per hour.
- (h) One (1) hot water heater, identified as EU-PR-WH-02, fired by propane or natural gas, exhausting through stack EP-WH, capacity: 7.0 million British thermal units per hour.
- (i) **One (1) baked chip process line, including the following:**
 - (1) **Masa Tote Bin (emptied by gravity) identified as EU-PR-MA-54A.**
 - (2) **Masa Tote Airlock, equipped with filter sock CE-MA-54A to control emissions from the airlock and Masa Tote bin.**
 - (3) **Manual unloading for the Masa Tote, identified as EU-PR-MA-54B, equipped with baghouse CE-MA-54B.**
 - (4) **Primary Masa Usebin, identified as EU-PR-MA-55, with a processing capacity of 7,500 pounds per hour, equipped with baghouse CE-MA-55.**
 - (5) **Chip scale hopper, identified as EU-PR-MA-56, with a capacity of 9000 pounds per hour, venting to baghouse EU-PR-MA-55.**

- (6) Chip shell mixer, identified as EU-PR-MA-57, with a capacity of 13,410 pounds per hour, equipped with filter sock CE-MA-57.**
- (7) One (1) 8.5 mmBtu/hr natural gas-fired chip oven, identified as EU-PR-BC-01, also capable of burning propane, exhausting to stack EP-BC-01.**

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this amendment and the following revised permit pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Madhurima Moulik at (800) 451-6027, press 0 extension 3-0868, or dial (317) 233-0868.

Sincerely,

Original signed by Paul Dubenetzky

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

Attachments

mm

cc: File - Jay County
U.S. EPA, Region V
Jay County Health Department
Air Compliance Section Inspector – Ryan Hillman
Compliance Data Section
Administrative and Development

**FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP)
OFFICE OF AIR QUALITY**

**Tyson Foods, Inc., Mexican Original
1355 W. Tyson Road
Portland, Indiana 47371**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: F 075-17765-00022	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: December 3, 2003 Expiration Date: December 3, 2008

1 st Administrative Amendment No.: 075-18759	Pages Modified: 9, 9a
Issued by:Original signed by Paul Dubenetzky Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date:March 12, 2004

- (6) Twelve (12) whole corn holding tanks, capacity: 2,100 pounds per hour, total.
- (7) One (1) wet corn grinder, capacity: 2,100 pounds per hour.
- (8) One (1) natural gas and propane-fired chip oven, identified as EU-PR-CL-13, with a heat input capacity of 3.2 million British thermal units per hour, and exhausting through stack EP-CL-02-01/02.
- (9) One (1) chip fryer, identified as EU-PR-CLF-2, equipped with a propane or natural gas-fired heat exchanger with a heat input capacity of 2.9 million British thermal units per hour, and exhausting through stack EP-CLF2, with the heat exchanger exhausting through stack EP-CLHE-2, capacity: 2,100 pounds per hour.
- (10) One (1) chip conveyor, identified as EU-CLAC-2, exhausting to stack EP-CLAC-2, capacity: 2,100 pounds per hour.
- (11) One (1) salt tumbler.
- (12) Corn chip packing and shipping.
- (f) One (1) salt tank, identified as EU-PR-SA-01, equipped with a filter, identified as CE-SA-01, and exhausting through stack EP-SA-01, capacity: 25,000 pounds of salt per hour.
- (g) One (1) boiler, identified as EU-PR-BR-01, constructed in 1994/1995, fired by propane or natural gas, exhausting through stack EP-Boiler, heat input capacity: 6.3 million British thermal units per hour.
- (h) One (1) hot water heater, identified as EU-PR-WH-02, fired by propane or natural gas, exhausting through stack EP-WH, capacity: 7.0 million British thermal units per hour.
- (i) One (1) baked chip process line, including the following:
 - (1) Masa Tote Bin (emptied by gravity) identified as EU-PR-MA-54A.
 - (2) Masa Tote Airlock, equipped with filter sock CE-MA-54A to control emissions from the airlock and Masa Tote bin.
 - (3) Manual unloading for the Masa Tote, identified as EU-PR-MA-54B, equipped with baghouse CE-MA-54B.
 - (4) Primary Masa Usebin, identified as EU-PR-MA-55, with a processing capacity of 7,500 pounds per hour, equipped with baghouse CE-MA-55.
 - (5) Chip scale hopper, identified as EU-PR-MA-56, with a capacity of 9000 pounds per hour, venting to baghouse EU-PR-MA-55.
 - (6) Chip shell mixer, identified as EU-PR-MA-57, with a capacity of 13,410 pounds per hour, equipped with filter sock CE-MA-57.
 - (7) One (1) 8.5 mmBtu/hr natural gas-fired chip oven, identified as EU-PR-BC-01, also capable of burning propane, exhausting to stack EP-BC-01.

A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour, and propane for liquefied petroleum gas, or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) British thermal units per hour, including:

- (1) Ten (10) natural gas and propane direct-fired heaters, identified as EU-PR-MAU-1 through 9, where EU-PR-MAU-4 has two heaters, A and B, maximum total capacity: 6.69 million British thermal units per hour.
- (2) Eighteen (18) natural gas and propane indirect-fired heaters, identified as EU-PR-A/CRTU-2 through 19, exhausting through stacks EP-A/CRTU-2 through 19, respectively, maximum total capacity: 4.28 million British thermal units per hour.
- (b) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month. This facility dispenses diesel fuel used by the trucks, using a 500 gallon diesel tank.
- (c) Equipment used exclusively for filling drums, pails or other packaging containers with lubricating oils, waxes and greases.